

Exhibit 374

PART 12

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

personal, without requesting or exercising any privilege or franchise from government; that I have learned that these unalienable property rights also include my right to contract for the exchange of labor, that I have never knowingly, intentionally, or, voluntarily waived any of these unalienable rights, nor can I be forced to waive any of these rights granted to me by Allah my father, (*see Brady v. U.S.*, 397 U.S. 742, 746), because I am endowed with these rights by my Creator, and by no government or anything else. And further;

3. That recent diligent studies have convinced me of the above, and that as such I am not "subject to" the territorially limited "Exclusive Legislation", nor to the foreign Jurisdiction mandated for the District of Columbia, federal enclaves, federal territories, and federal possessions by *Article 1, Sec. 8, Clause 17 and 18, and Article 4, Sec. 3, Clause 2 of the U.S. Constitution*, including its internal government organizations, therein (hereinafter referred to as the Federal Legislative Democracy and elsewhere referred to in this Affidavit as the corporate jurisdiction of the United States); that I am not "Subject to" this foreign jurisdiction by reason of any valid contract or any valid commercial agreement resulting in adhesion thereto across America.
4. That the Affiant, **Michael-Todd: Ricks-Bey**, now, nor have I ever knowingly, intentionally, and voluntarily, with informed consent, entered into any personal, internal, public or private agreement, contract, stipulation, account or similar contrivance with the State of **Colorado**, the United States, the Federal Government, or the District of Columbia, their territories, their agencies, or other property appurtenant thereto, with would have altered or waived my de jure, Sui Juris status, or my natural unalienable Allah given natural rights: "That any such agreements, or contracts, expressed or implied, such as Social Security number; Birth Certificate and Certificate of Birth; Driver's License; or Bank Signature Cards; or the use of Federal Reserved Notes, **prior to the Affiants arrest are all in the process of being revoked**", due to the fraudulent withholding of material facts, which became a trap and, as such, are a Bill of Attainder on this free Moorish-American natural born man upon the land, inhabitant in the united states of America. For **Michael-Todd: Ricks-Bey**, cannot become a nexus by the effect of fraudulent nexus, because any statute and unalienable natural rights are not negotiable; and the Eighteenth Judicial District of **Douglas County** or the State of **Colorado** has not proved that they ever had jurisdiction to charge an offense, as required by *Colo.Crim.P.Rule 7(a)*; Title 5 U.S.C. Sec. 56, or as defined and set out as a constitutional requirement in *Smith v. US, 360 US 1* that any change of status would lawfully have to take place in a Common Law (judicial power) court under the *Due Process Clause of the 5th & 6th Amendment of the U.S. Constitution*. And Further;
5. That this Memorandum Affidavit is to certify that **Michael-Todd**, is a free Moorish-American natural born inhabitant in the united states of America, living, and breathing in the State of **Colorado Republic**, as an American Republic in **Kit Carson County** and working in both county's, living under the Common Law, having assumed, among the powers of the Earth, the Separate and Equal station to which the Laws of Nature and Nature's Allah entitles me, in order to secure the Blessings of the Birthright that was taken from me, do hereby asseverate and terminate all feudatory contracts with the Federal government and it's agencies and with the corporate State of **Colorado** and it's agencies, for **Michael-Todd: Ricks-Bey**, being of sound mind and body, dose not choose, nor have I ever chosen to give up, relinquish or otherwise waive any of my God-Allah given natural, constitutionally secured rights. And Further;
6. That **Michael-Todd: Ricks-Bey** use of the phrase "**WITH EXPLICIT RESERVATION OF ALL MY RIGHTS AND WITHOUT PREJUDICE UCC 1-308 (UCC 1-308)**" above my signature on all documents indicates: "That I explicitly reject any and all benefits of the Uniform Commercial Code, absent a valid commercial agreement which will come into force and which I will be a party, and cite

it's provisions herein ONLY to serve notice upon All persons, entities, officials, agencies of county, district, state, or federal government, that they, and not **Michael-Todd: Ricks-Bey**, are subject to, and bound by all of it's provisions, whether cited herein or not; that the Affiants explicit reservation or rights will serve notice upon All agencies of government of the "REMEDY" they must provide for Affiant under Article I, Sec. 308 of the Uniform Commercial Code, at whereby the Affiant will explicitly reserve his Common Law right not to be compelled to perform under any contract or commercial agreement, that the Affiant has not entered into KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY. And Further;

7. That the Affiants explicit reservation to the (1787) Constitution of the united states for America, including it's Preamble and the (1789) Bill of Rights, including its Preamble, "WILL SERVE NOTICE UPON ALL" persons, agencies, and entities that they are all limited to proceeding against the Affiant, **Michael-Todd: Ricks-Bey**, "**ONLY IN HARMONY WITH THE COMMON LAW OF THE LAND**", and that the Affiant does not, and will NOT accept the liability associated with the "compelled" benefit of any unrevealed commercial agreements; and that the Affiants valid reservation of rights has reserved all rights and prevents the loses of any such rights by application of the concepts of waiver or estoppel. And further;
8. That the Affiant reserves his unalienable right s to amend this Affidavit at times and places of his choosing accordingly as new facts of law and revelations are made available, and at various times and places as yet unknown, and as yet to be determined. That the Affiant affirms under penalty of perjury, under the Common Law of America, "without the United States", that the forgoing is true and correct and complete to the best of the Affiants knowledge and are not meant to mislead

PLEDGE OF ALLEGIANCE

I, **Michael-Todd**, a natural born real live member of the Washitaw Nation of Muurs, do solemnly and Sincerely Pledge My Allegiance of both the ancient Amuur Empire: Washitaw De Dugdh Mound Ya and the Virginia Commonwealth Republic, knowingly and willingly. I declare that I Am a free and sovereign Moorish-American National, and that I explicitly exercise My right to a Nationality under the authority and ultimate jurisdiction of the Virginia Commonwealth Republic, while retaining My Sovereignty as a Washitaw Muur. I solemnly and Sincerely Pledge that I will support and defend the Moorish-American **Zodiac Great Seal Constitution, the Treaty of Peace and Friendship** between the United States of America and Morocco of 1787 and the organic Constitution for the United States of America of 1789 for which "We The People" [Washitaw/Delaware Muurs] are "part and partial," and the Constitution of the Virginia Commonwealth Republic 1776, against all enemies, foreign and domestic. I take this obligation freely and without any evasion. The Moorish-American National is a Citizen of the Republic as well as Indigenous to the soil; and therefore, I Am a dual National under U.S. Constitution, International Treaties, and U.S. land grant no. 923 of 1802. I declare that I Am an Indigenous American of Dual Nationality, domicile on the soil of Washitaw nation of Muurs. Therefore, I Affirm My Dual Allegiance pursuant to: 54 Stat. 1137 Sec. 101(a); 8 U.S.C. Sec. 1101(21).

RESPONSE HEREBY ORDERED:

- I. **ANSWER REQUIRED:** All person, entities, or officials, who feel that their county, district, state, federal, agency, business, corporation, department... had jurisdiction and/or lawful control over the Affiant, Michael-Todd, opposing what is stated in this Affidavit, NOW MOVES such entity to immediately address the issue and provide the affiant with appropriate jurisdictional document and answer within ten (10) business days. And further;

- II. IMPORTANT NOTICE:** To All public officers, officials, clerks, judges, and to all representatives in all local, county, district, state, or government positions are to uphold and abide by honoring:
- a. 28 U.S.C. §453 et. Seq.; 28 U.S.C. §541 et. Seq.; 28 U.S.C. §951 et. Seq.; 28 U.S.C. §1361 et. Seq.; And;
 - b. U.S. Constitution Article I, Sec. 9, Cl. 2; and,
 - c. U.S. Constitution Article III, Sec. 1 & 2; and
 - d. U.S. Constitution Article IV, Sec. 2; and,
 - e. *U.S. Constitution Article VI, Sec. 2*, stating: This Constitution, and the Laws of the United States which shall be made, under the Authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution of laws of any State to the contrary notwithstanding.
 - f. The entire *U.S. Constitution Bill of Rights*. And further;
- III. IMPORTANT NOTICE TO ALL OFFICERS, OFFICIALS & REPRESENTATIVES:** Any Commencement of any actions in opposition to the Constitution, "such official will invoke the self-executing *Sections 3 & 4 of the 14th Amend.* Which vacates his/her office, actions, rulings, and authority is null and void, and he/she forfeits all benefits of their office, including salary and pension as noted in the *(1787) U.S. Constitution Bill of Rights, Amend. XIV (1868)*: No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as a executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.
- IV.** If the person, official, entity, or local, county district, state, federal department cannot provide such mandated claims with supported jurisdictional facts, the opposing entity will dismiss and lose any such legal claim, or opposed contract over the Affiant.
- V.** THAT, this Affidavit if not rebutted point for point by any man or woman, representing the State of **Colorado** at any level, in any matter, at any time within ten (10) days upon receipt, these facts stand as true in the both the private and public record... as true. NOTE; **Maxim of Law; 1.** In Commerce—Truth is sovereign. **2.** For a matter to be resolved, it must be expressed. Point of Law—Silence equates to agreement.

MAXIMS OF COMMERCE

ACTUAL AND CONSTRUCTIVE NOTICE

MAXIMS OF COMMERCE: In this **VERIFIED NUNC PRO TUNC AT LAW & PUBLIC NOTICE REVOCATION AFFIDAVIT**, the word "Maxims of Commerce" means: **Commerce** is antecedent to and more fundamental to society than courts or legal systems, and exist and functions without respect to courts or legal systems, but not vice versa. Commercial Law, the non-statutory variety as presented below in Maxim 1-10, is the economic extension of Natural Law into man's social world and is universal in nature. The foundational, invariant, necessary, and sufficient or "**Maxims of Commerce**" are:

1. A workman is worthy of his hire (Exodus 20:15; Lev. 19:13; Matt. 10:10; Luke 10:7; II Tim. 2:6. Legal Maxim: "It is against equity for freemen not to have the free disposal of their own property.")
2. All are equal under the Law (God's Law - Moral and Natural Law). Exodus 21:23-25; Lev. 24:17-21; Deut. 1:17, 19:21; Matt. 22:36-40; Luke 10:17; Col. 3:25. Legal Maxims: "no one is above the law."; "Commerce, by the law of nations, ought to be common, and not to be converted into a monopoly and the private gain of a few.")
3. In Commerce truth is sovereign (Exodus 20:16; Ps. 117:2; John 8:32; II Cor. 13:8. Legal Maxim: "To lie is to go against the mind." Oriental proverb: "of all that is good, sublimity is supreme.")
4. Truth is expressed by means of an Affidavit (Lev. 5:4-5, 6:3-5, 19:11-13; Num. 30:2; Matt. 5:33; James 5:12.).
5. An un-rebutted Affidavit stands as the truth in Commerce (I Pet. 1:25; Heb. 6:13-15. Legal Maxim: "He who does not deny, admits.")
6. An un-rebutted Affidavit becomes the judgment in Commerce (Heb. 6:16-17. Any proceeding in a court, tribunal, or arbitration from consists of a contest, or "duel", or commercial affidavits wherein the points remaining un-rebutted in the end stand as the truth and the matter to which the judgment of the law is applied.)
7. A matter must be expressed to be resolved (Heb. 4:16; Phil. 4:6; Eph. 6:19-21. Legal Maxim: "He who fails to assert his rights has none.")
8. He who leaves the field of battle first loses by default (Book of Job: Matt. 10:22. Legal Maxim "He who does not repeal a wrong when he can, occasions it.")
9. Sacrifice is the measure of creditability (One who is not damaged, put at risk, or willing to swear an oath on his commercial liability for the truth of his statements and legitimacy of his action has no basis to assert claims or charges and forfeits all creditability and right to claim authority.) (Acts 7, Life/Death of Stephen, and Legal Maxim: "He who bears the burden ought also to derive the benefit.")
10. A lien claim can be satisfied only through rebuttal by counter-affidavit point-for-point, resolution by jury, or payment (Gen. 2-3; Matt 4; Revelation. Legal Maxim: "If the Plaintiff does not prove his case, the defendant is absolved.")

Because truth is sovereign in **Commerce**, and everyone is responsible for propagating the truth in all speaking, writing, acting, **All Commercial processes function via Affidavit certified and sworn on each Affiant's commercial liability as "true, correct, and complete,"** attesting under Oath re the validity relevance, and veracity of all matters stated, and likewise demanded, **a signature is required under penalty of**

perjury “true, correct, and complete under ones commercial liability. In a court setting, however, testimony (oral **Commercial Affidavit**) is stated in the judicial equivalent by being sworn to be “the truth, the whole truth, and nothing but the truth, so help me God-Allah.” As well as the need for asserting all matters under solemn oath of personal, commercial financial, and legal liability for the validity of each and every statement, participant must provide material evidence, i.e. ledgering/bookkeeping, substantiating that each fact or entry is true, valid, relevant, and verifiable. Without said acceptance of liability and facts provided to support one’s assertions, no creditability is established. Inasmuch as **commerce** existed—but not vice versa—**commerce** is amore fundamental aspect of life than courts and legal systems.

EXPRESS NOTICE OF WAIVER OF TORT TO ALL WHO TRESPASS

Trespass upon either the Issuer of this binding Private Bond Instrument by any actor, agent or representative of a government entity or its subdivision, acting under color of law outside the accepted forum, shall constitute an agreement of \$2,000,000.00 compensation for each injury, occurrence of breach, or trespass on rights or property. Additionally, all Trespassers shall agree to pay \$65,217 per hour of involuntary servitude, coerced incarceration, coerced detention, or coerced booking. Performance by conduct is acceptance. This is an implied contract and attaches only upon the actors, agent, or representative, who by their conduct elect to enjoin this contract. If by your conduct you elect to contract, Michael-Todd: Ricks-Bey, shall be appointed Third Party Intervener, with limited power of attorney to execute the remedy within this instrument. This power of attorney is a right coupled with an interest and is irrevocable as granted without course to all who trespass.

ALL PERSONS, EMPLOYEE, AGENTS, AND OFFICERS OPERATING UNDER ORDERS OF THE PRESIDENT OF THE UNITED STATES, UNITED STATES SECRET SERVICE, UNITED STATES DEPARTMENT OF THE JUSTICE, INTERNAL REVENUE SERVICE, DEPARTMENT OF JUSTICE, STATE OF COLORADO DEPARTMENT OF REVENUE, ALL MUNICIPAL COURTS, DOUGLAS COUNTY DISTRICT ATTORNEY, 18TH JUDICIAL DISTRICT COURT DOUGLAS , COLORADO, COLORADO STATE PATROL, DOUGLAS COUNTY SHERIFF DEPARTMENT, DOUGLAS COUNTY POLICE DEPARTMENT AND DOUGLAS COUNTY COURT, who commit injury by trespass upon the living man, Michael-Todd: Ricks-Bey under color of law without evidence of a signed contract or damaged party, or lawful order and verified assessment will cause attachment of this **EXPRESS NOTICE OF WAIVER OF TORT**. Continued proceeding in trespass shows acceptance of this Contract and provides evidence of your intent to implement the terms of the **EXPRESS NOTICE OF WAIVER OF TORT** and affix said lien(s)

NOTICE TO PRINCIPLE IS NOTICE TO AGENT AND NOTICE TO AGENT IS NOTICE TO PRINCIPLE

Oath of Aggrieved Party: The undersigned, Aggrieved Party herein, DO DECLARE under Penalty of Perjury, in accord with the Laws of the united States of America, the State of Oklahoma, and the Ultimately God-Allah Almighty as enumerated in the Holy Scripture, that the contents of this **MAXIMS OF COMMERCE** are True, Correct, Certain, Complete and not meant to Mislead.

Further Affiant Sayeth Not.

Subscribed and affirmed, All Rights Reserved under UCC 1-308, and is signed by the Affiant, **Michael Todd Ricks-Bey**, on this 16th day of June 2008 to affirm this *Verified Nunc Pro Tunc* and Supersedes and nullifies any previous Affidavit.
Respectfully Submitted,

Submitted this 16th day of June 2008.

Without Prejudice UCC 1-308, UCC 1-103.6
Authorized Representative, Attorney-In-Fact

/s/ Michael Todd Ricks-Bey
Michael Todd Ricks-Bey, Secured Party-Principal in behalf of the
Debtor, MICHAEL TODD RICKS, JURISTIC PERSON, ENS LEGIS
By Special Appearance Pro Per



INDIGENOUS WASHITAW MOORISH AMERICAN: U.S. 923/1802 & U.N. IPO 215/93

**U.S. NON-CITIZEN AMERICAN NATIONAL AND NON-RESIDENT ALIEN
UNITED STATES LAWS AFFIRMING RIGHT TO CITIZENSHIP AND NATIONALITY**

15 Stat. 223-224 (1868); R.S. §1999, 8 U.S.C. §800 (1940); United States v. Cruikshank, 92 U.S. 542 (1875.) American/ U.S.A. National 54 Stat. 1137, Section 101(a)(3)&(38), Section (a)(21)-(22), [PL 94-241, 90 Stat. 623, at Section 3; 100 Stat. 843, August 27, 1986]. The Nationality Act of 1940, 8 U.S.C. Section 1101(21); [U.S. Non-Citizen] 8 U.S.C. 1452(b)(1)(2) & 8 U.S.C. 1502(a), Section 1452(a)(b) & (c); PL 99-396, 16(c). 26 C.F.R. §7701(11), 39 F.R.52 (March 14, 1974); 26 C.F.R. § 301.6109(a); 26 U.S.C. § 3402(n)-1, 26 C.F.R. §31.3402(n)-1, 26 C.F.R. § 3402(f)(2)-1, 26 C.F.R. §1.1441-3. [Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)] Washitaw de Dugdyahmoundyah

Illinois Tax Exemption E 9939-0647-01
IRS: Exception 17053-290-74400-4
Moorish Science Temple EIN 56-2473981

[Non-Resident Alien] [8 Stat. 200, Article III & VI (1803)]
Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]
In-Care-Of: Washitaw Nation of Muurs, Illinois

TO ENSURE THAT THE RIGHTS OF SOVEREIGN TRIBAL GOVERNMENTS ARE FULLY RESPECTED

The United States Government has a unique legal relationship with the Native American tribal governments as set forth in the Constitution of the United States, treaties, statutes, and court decisions [U.S. Land Grant No. 923 in the name of "the Washitaw," Spanish Certificate of June 20, 1779; Plan. 1518; Register No. 3, April 12, 1802]

RE: U.S. Government to Indigenous Government Relations
A Directive Superseding Previous Treaty Authority
Executive Memorandum of April 29, 1994
Signed by President Bill Clinton

Purpose: To clarify our responsibility to ensure that the Federal Government operates within a government-to-government relationship with federally recognized Native American tribes . . . working relationship reflecting respect for the rights of self-government due the sovereign tribal governments.

- Principles:
- (a) The head of each executive department and agency shall be responsible for ensuring that the department or agency operates within a government-to-government relationship with federally recognized tribal governments.
 - (b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal government prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.
 - (d) Each executive department and agency shall take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or government rights of the tribes.
 - (f) Each executive department and agency shall apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12866 ("Regulatory Planning and Review") to design solutions and tailor Federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.

MICHAEL TODD RICKS-BEY

Print Name: U.S.A. American and Washitaw National
Indigenous Washitaw-Nationals, U.N. #215

Michael Todd Ricks-Bey
Sovereign Washitaw, Without Recourse: 8 USC 1408; 15 Stat 223
UCC 1-308 and UCC 1-103.6; 28 CFR 16.4(d); 28 USC 1746(1)

A CESTUI QUE TRUST-INDENTURE AGREEMENT BETWEEN SOVEREIGN PRIVATE PARTIES
U.S. Land Grant No.: 923 [Certificate: June 20, 1797; Plan No. 1518; Register No. 3, April 12, 1802]

Louisiana Treaty of 1803 [8 Stat. 200, Article III & VI]

Moorish Science Temple EIN: 56-2473981

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|-----------------------------|-----|----------|-----------|---------------------------|
| Congressional Act Bill No.: | 252 | April | 10, 1816. | 14 th Congress |
| Congressional Act Bill No.: | 253 | February | 10, 1817. | 14 th Congress |
| Congressional Act Bill No.: | 325 | December | 12, 1820. | 16 th Congress |
| Congressional Act Bill No.: | 329 | January | 22, 1821. | 16 th Congress |

LEGAL NOTICE: FEDERALLY PROTECTIVE RIGHTS
DENIAL OF CONSTITUTIONAL RIGHTS UNDER COLOR OF LAW
[PL 93-579 SECTION 7, 5 U.S.C.A. §552(a); 18 U.S.C. §241 & §242; 42 U.S.C. §1983 & §406.8]